

Attorney Docket No.: AM100221
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chu., *et al*

Serial No.: 09/887,296

Group Art Unit: 1645

Filed: June 21, 2001

Examiner: S. Devi, PH.D.

For: METHODS AND COMPOSITIONS FOR ORAL VACCINATION

Confirmation No.: 6853

Customer No.: 25291

#6
Wenda
10/29/02

SUPPLEMENTAL REPLY TO RESTRICTION REQUIREMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

October 25, 2002

Sir:

This replies to the Office Action, identified as Paper No. 5, mailed October 8, 2002, now due without extension on November 8, 2002.

REMARKS

The currently pending Office Action (Paper No. 5), advises that applicants' election filed July 22, 2002, was not fully responsive to the restriction requirement made in Paper No. 3, mailed June 20, 2002, because of the following omission: While applicants have elected Invention II, claims 1-10, they failed to make a species election for the elected claim 1.

Actually, however, a rereading of the July 22, 2002 response/election, shows, that on page 4 of that response, in the last full paragraph, applicants provisionally elected "bacterium" as the species in response to paragraph 6 of Paper No. 3, and, the porcine antigen. *Erysipelothrix rhusiopathiae*, in response to paragraph 7 of Paper No.3. Applicants did, however, incorrectly designate/associate these provisional specie elections with claims not within Invention II as defined in the Restriction Requirement.